

AUG 29 2017

AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants
Sheet 1Clerk, U.S. District Court
District Of Montana
Great Falls

UNITED STATES DISTRICT COURT

District of MONTANA, at Great Falls

UNITED STATES OF AMERICA

V.

ENCORE SERVICES, LLC

JUDGMENT IN A CRIMINAL CASE

(For Organizational Defendants)

CASE NUMBER: CR 16-19-GF-BMM-01

Eric Ryan Henkel and Michael N. Pancer

Defendant Organization's Attorney

THE DEFENDANT ORGANIZATION:

☒ pleaded guilty to count(s) 1 and 5 of the Second Superseding Indictment☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. § 371	Conspiracy to Commit Wire Fraud	12/24/2011	1
18 U.S.C. § 1956(h)	Conspiracy to Commit Money Laundering	7/11/2013	5

The defendant organization is sentenced as provided in pages 2 through 5 of this judgment.

☐ The defendant organization has been found not guilty on count(s) _____☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

Defendant Organization's

Federal Employer I.D. No.: 45-2649397

Defendant Organization's Principal Business Address:

Former Legal Address: 9980 Flamingo Road
Las Vegas, NV 89147Managing Member: Zachary Roberts
1449 Foothills Village Drive
Henderson, NV 89012

Defendant Organization's Mailing Address:

8/24/2017

Date of Imposition of Judgment

Signature of Judge

Brian Morris

Name of Judge

United States District Judge

Title of Judge

Date

8-29-17

DEFENDANT ORGANIZATION: ENCORE SERVICES, LLC
CASE NUMBER: CR 16-19-GF-BMM-01**CRIMINAL MONETARY PENALTIES**

The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 800.00	\$ N/A	\$ 2,500,000.00

☐ The determination of restitution is deferred until . An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☒ The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Chippewa Cree Tribe		\$2,500,000.00	
RR 1 Box 544			
Box Elder, MT 59521			

TOTALS	\$	0.00	\$	2,500,000.00
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☐ Restitution amount ordered pursuant to plea agreement \$

☐ The defendant organization shall pay interest on restitution or a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☒ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT ORGANIZATION: ENCORE SERVICES, LLC
CASE NUMBER: CR 16-19-GF-BMM-01

SCHEDULE OF PAYMENTS

Having assessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due
- ☐ not later than _____, or
☐ in accordance with ☐ C or ☐ D below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C or ☐ D below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☒ Special instructions regarding the payment of criminal monetary penalties:

The defendants have previously settled with the Chippewa Cree Tribe in a civil case. The entirety of that judgment (\$1.1 million) must be paid, and all such payments will offset the amount of restitution to be paid in this criminal case. The defendants must pay an additional \$1.4 million as a result of this criminal case. Of that \$1.4 million, Martin Gasper Mazzara is responsible for \$700,000 and Zachary Brooke Roberts is responsible for \$700,000. AUSA Ryan Weldon shall monitor payment of restitution.

All criminal monetary penalties are made to the clerk of the court.

The defendant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☒ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

Defendant Encore Services, LLC, CR 16-19-GF-BMM-01; Co-Defendant Zachary Brooke Roberts, CR 16-19-GF-BMM-02; Co-Defendant Martin Gasper Mazzara, CR 16-19-GF-BMM-03
Total Amount: \$2,500,000.00 Joint/Several: \$700,000 with Co-Defendant Zachary Brooke Roberts;
\$700,000 with Co-Defendant Martin Gasper Mazzara
Payee: Chippewa Cree Tribe, RR 1 Box 544, Box Elder, MT 59521

- ☐ The defendant organization shall pay the cost of prosecution.
- ☐ The defendant organization shall pay the following court cost(s):
- ☐ The defendant organization shall forfeit the defendant organization's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.